



Entered on Docket
May 12, 2011

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

J. MICHAL BLOOM, Attorney
State Bar # NV 4706
j.michal.bloom@usdoj.gov
UNITED STATES DEPARTMENT OF JUSTICE
Office of the United States Trustee
300 Las Vegas Boulevard, So., Suite 4300
Las Vegas, Nevada 89101
Telephone: (702) 388-6600 Attorney Ext. 229
Facsimile: (702) 388-6658

Attorney for the Acting United States Trustee
AUGUST B. LANDIS

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

**AMERICAN PACIFIC FINANCIAL
CORPORATION,**

Debtor.

CASE NOS: BK-S-10-27855-BAM

Chapter 11

Date: May 4, 2011

Time: 9:30 a.m. (PT)

Place: Foley Courtroom 3 (third floor)

ORDER DIRECTING APPOINTMENT OF CHAPTER 11 TRUSTEE

Based on the Acting United States Trustee's *Motion For The Appointment Of A Chapter 11 Trustee Pursuant To 11 U.S.C. § 1104(a)(1)*, the U.S. Securities and Exchange Commission's *Joinder* to the Motion, American Pacific Financial Corporation's *Omnibus Opposition* to the

1 Motion and Joinder, the Unsecured Creditors Committee's *Response, Reply* and *Supplemental*
2 *Reply* to the Motion, the Acting United States Trustee's *Reply* to the Omnibus Opposition, the
3 U.S. Securities and Exchange Commission's *Reply* to the Omnibus Opposition, the hearing held
4 on May 4, 2011 (appearances noted on the record), the Court having stated on the record its
5 findings of fact and conclusions of law, which are incorporated herein pursuant to Federal Rule
6 of Bankruptcy Procedure 7052 and Federal Rule of Civil Procedure 52, and good cause having
7 been shown,

8 **IT IS HEREBY ORDERED** that the Motion is GRANTED; and,

9 **IT IS FURTHER ORDERED** that the Acting United States Trustee is hereby
10 authorized and directed to appoint a Chapter 11 trustee forthwith.

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12 Submitted by:

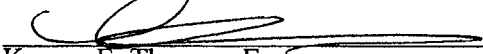

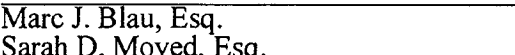
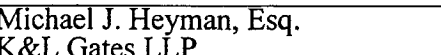
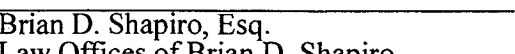
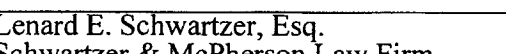
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14 **AUGUST B. LANDIS**
15 **ACTING UNITED STATES TRUSTEE**
16 **REGION 17**

17 By: /s/ J. Michal Bloom
18 J. Michal Bloom, Esq.
19 United States Department of Justice
20 Attorney for the Acting United States Trustee
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RULE 9021 DECLARATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that:

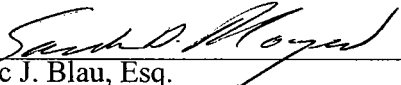
- ☐ The court has waived the requirement of approval under LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

<p>APPROVE / DISAPPROVE <i>As to form</i></p> <p></p> <p>Kaaran E. Thomas, Esq. McDonald Carano Wilson LLP 100 W. Liberty St., 10th Floor Reno, NV 89505</p> <p>Counsel to American Pacific Financial Corporation</p>	<p>APPROVE / DISAPPROVE</p> <p></p> <p>Louis M. Bubala, III, Esq. Armstrong Teasdale, LLP 50 W. Liberty St., Suite 950 Reno, NV 89501</p> <p>Counsel to the Unsecured Creditors Committee</p>
<p>APPROVE / DISAPPROVE</p> <p></p> <p>Marc J. Blau, Esq. Sarah D. Moyed, Esq. U. S. Securities and Exchange Commission 5670 Wilshire Boulevard, Suite 1100 Los Angeles, California 90036</p> <p>Counsel to the U. S. Securities and Exchange Commission</p>	<p>APPROVE / DISAPPROVE</p> <p></p> <p>Michael J. Heyman, Esq. K&L Gates LLP 10100 Santa Monica Blvd., 7th Floor Los Angeles, CA 90067</p> <p>Counsel to Mr. Larry Polhill</p>
<p>APPROVE / DISAPPROVE</p> <p></p> <p>Brian D. Shapiro, Esq. Law Offices of Brian D. Shapiro 411 East Bonneville, Suite 300 Las Vegas, NV 89101</p> <p>Counsel to Mr. Larry Polhill</p>	<p>APPROVE / DISAPPROVE</p> <p></p> <p>Lenard E. Schwartzer, Esq. Schwartzer & McPherson Law Firm 2850 South Jones Boulevard, Suite 1 Las Vegas, NV 89146</p> <p>Counsel to Mr. P. Hazell and Ms. V. Chew</p>

RULE 9021 DECLARATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that:

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Kaaran E. Thomas, Esq. McDonald Carano Wilson LLP 100 W. Liberty St., 10th Floor Reno, NV 89505	Louis M. Bubala, III, Esq. Armstrong Teasdale, LLP 50 W. Liberty St., Suite 950 Reno, NV 89501
Counsel to American Pacific Financial Corporation	Counsel to the Unsecured Creditors Committee
<u>APPROVE</u> / DISAPPROVE	APPROVE / DISAPPROVE
 Marc J. Blau, Esq. Sarah D. Moyed, Esq. U. S. Securities and Exchange Commission 5670 Wilshire Boulevard, Suite 1100 Los Angeles, California 90036	Michael J. Heyman, Esq. K&L Gates LLP 10100 Santa Monica Blvd., 7 th Floor Los Angeles, CA 90067
Counsel to the U. S. Securities and Exchange Commission	Counsel to Mr. Larry Polhill
APPROVE / DISAPPROVE	APPROVE / DISAPPROVE
Brian D. Shapiro, Esq. Law Offices of Brian D. Shapiro 411 East Bonneville, Suite 300 Las Vegas, NV 89101	Lenard E. Schwartzer, Esq. Schwartzer & McPherson Law Firm 2850 South Jones Boulevard, Suite 1 Las Vegas, NV 89146
Counsel to Mr. Larry Polhill	Counsel to Mr. P. Hazell and Ms. V. Chew

RULE 9021 DECLARATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that:

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- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

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<u>Kaaran E. Thomas, Esq.</u> McDonald Carano Wilson LLP 100 W. Liberty St., 10th Floor Reno, NV 89505 Counsel to American Pacific Financial Corporation	<u>Louis M. Bubala, III, Esq.</u> Armstrong Teasdale, LLP 50 W. Liberty St., Suite 950 Reno, NV 89501 Counsel to the Unsecured Creditors Committee
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<u>Marc J. Blau, Esq.</u> <u>Sarah D. Moyed, Esq.</u> U. S. Securities and Exchange Commission 5670 Wilshire Boulevard, Suite 1100 Los Angeles, California 90036 Counsel to the U. S. Securities and Exchange Commission	<u>Michael J. Heyman, Esq.</u> K&L Gates LLP 10100 Santa Monica Blvd., 7 th Floor Los Angeles, CA 90067 Counsel to Mr. Larry Polhill
APPROVE / DISAPPROVE	APPROVE / DISAPPROVE
<u>Brian D. Shapiro, Esq.</u> Law Offices of Brian D. Shapiro 411 East Bonneville, Suite 300 Las Vegas, NV 89101 Counsel to Mr. Larry Polhill	<u>/s/ Lenard E. Schwartzer</u> <u>Lenard E. Schwartzer, Esq.</u> Schwartzer & McPherson Law Firm 2850 South Jones Boulevard, Suite 1 Las Vegas, NV 89146 Counsel to Mr. P. Hazell and Ms. V. Chew

1 APPROVE / DISAPPROVE

2 

3 Martha E. Romero, Esq.
4 Romero Law Firm
5 BMR Professional Bldg.
6 6516 Bright Avenue
7 Whittier, CA 90601

8 Counsel to County of San Bernardino,
9 California

10 ☐ I certify that this is a case under Chapter 7 or 13, that I served a copy of this order with
11 the motion pursuant to LR 9014(g), and that no party has objected to the form or content

12 I declare under penalty of perjury that the foregoing is true and correct.

13 **AUGUST B. LANDIS**
14 **ACTING UNITED STATES TRUSTEE**
15 **REGION 17**

16 By: /s/ J. Michal Bloom
17 J. Michal Bloom, Esq.
18 United States Department of Justice
19 Attorney for the Acting United States Trustee
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